

REMARKS

The Examiner has rejected Claims 1-8 under 35 U.S.C. § 112, second paragraph.

Applicant has amended claims 1, 6, and 7 to correct the informalities noted by the Examiner.

Withdrawal of the corresponding rejection is respectfully requested.

The Examiner has rejected claims 1 and 5-8 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,322,435 to Pletcher. Pletcher discloses an orthodontic bracket having a shutter that can be moved between open and closed positions. A coil spring 91 provides a detent function for holding the shutter in either the open position or the closed position. It is emphasized that the coil spring 91 in Pletcher merely acts as a detent, and does not bias the shutter in any particular direction.

Claim 1 defines an orthodontic bracket having a body, a shutter, and a spring providing a force to bias the shutter toward the closed position. It is respectfully submitted that, while Pletcher illustrates a spring to provide a detent, Pletcher does not teach or suggest a spring that biases a shutter toward a closed position. For this reason, it is respectfully submitted that claim 1 is in condition for allowance.

The Examiner has further indicated that claims 2-4 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, and to include all the limitations of the base claim and any intervening claims. In response, applicant has drafted new claims 9-11, which correspond to original claims 2-4. Allowance of new claims 9-11 is respectfully requested.

The undersigned attorney is available for telephone consultation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin P. Moran", with a long horizontal flourish extending to the right.

Kevin P. Moran
Reg. No. 37,193

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Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108
(414) 271-6560
X:\clientb\072270\9029\F0119980.1